

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

JASON WILLIAMS,

Plaintiff,

vs.

AT&T MOBILITY LLC,

Defendant.

Case No. 5:19-cv-00475-BO

**AT&T MOBILITY LLC’S MOTION TO COMPEL
PLAINTIFF JASON WILLIAMS TO PRODUCE DOCUMENTS AND
RESPOND TO INTERROGATORIES**

Defendant AT&T Mobility LLC (“AT&T”) respectfully moves this Court for an Order Compelling Plaintiff Jason Williams (“Mr. Williams”) to produce documents in response to AT&T’s First and Second Sets of Requests for Production of Documents and to respond to AT&T’s First Set of Interrogatories. AT&T brings this motion pursuant to Rule 37 of the Federal Rules of Civil Procedure and Local Rule 7.1(c).

AT&T’s specifically requests that the Court:

1. Compel Mr. Williams to produce documents responsive to AT&T’s First Set of Requests for Production of Documents Nos. 1-10, 12-17, 19-23, 26-27 and 29-31;
2. Compel Mr. Williams to produce documents responsive to AT&T’s Second set of Requests for Production of Documents Nos. 3-5 and 8-11;
3. Compel Mr. Williams to provide a full and complete response to AT&T’s Interrogatory No. 11;

4. Order that Mr. Williams is subject to an estoppel sanction and an adverse inference regarding the undisclosed information if he fails to produce the requested records; and
5. Grant AT&T such other and further relief as the Court deems just and proper.

The grounds, arguments, and authorities for this motion are set out in the accompanying Memorandum of Law, the Declaration of Michael J. Breslin and the exhibits thereto (**Exhibit 1** to this Motion), and the Chart of Inference or Estoppel Sanctions requested (**Exhibit 2** to this Motion), each of which is referred to and incorporated herein by reference.

AT&T hereby certifies that, before bringing this motion, its counsel met and conferred with opposing counsel in good faith to attempt to resolve the discovery dispute. As Mr. Williams continues to refuse to provide compliant responses, this Motion is necessary.

WHEREFORE, AT&T respectfully prays that the Court grant its Motion to Compel as set forth above and grant such other and further relief as is just and proper.

Respectfully submitted this the 15th day of March, 2021.

KILPATRICK TOWNSEND & STOCKTON LLP

/s/ Joseph S. Dowdy.

Joseph S. Dowdy (N.C. State Bar No. 31941)
4208 Six Forks Road, Suite 1400
Raleigh, NC 27609
Telephone: (919) 420-1718
Facsimile: (919) 510-6120
Email: jdowdy@kilpatricktownsend.com

Counsel for Defendant AT&T Mobility, LLC

CERTIFICATE OF SERVICE

I hereby certify that on date set out below, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

SHUMAKER LOOP & KENDRICK LLP
Terence S. Reynolds
treynolds@shumaker.com
Lucas D. Garber
lgarber@shumaker.com
101 South Tyron Street
Suite 2200
Charlotte, North Carolina 28280
Local Civil Rule 83.1(d) Counsel for
Plaintiff Jason Williams

PIERCE BAINBRIDGE BECK PRICE
& HECHT LLP
Christopher LaVigne
clavigne@piercebainbridge.com
Dwayne Sam
dsam@piercebainbridge.com
Sarah Baugh
sbaugh@piercebainbridge.com
Thomas Popejoy
tlpopejoy@piercebainbridge.com
277 Park Avenue, 45th Floor
New York, NY 10172
Counsel for Plaintiff Jason Williams

This the 15th day of March, 2021.

/s/ Joseph S. Dowdy
Joseph S. Dowdy